

REMARKS

Claims 1-11 and 49-63 remain in the application and have been amended hereby.

Reconsideration is respectfully requested of the rejection of claim 7 under 35 USC 112, second paragraph, as being indefinite.

Claim 7 has been amended hereby to depend from claim 6.

Reconsideration is respectfully requested of the rejection of the claims under 35 USC 102(b), as being anticipated by Daggar.

The present invention is intended to provide a data decoding apparatus. This apparatus includes a storage that stores digital data and corresponding subordinate data. Also stored in the data decoding apparatus is right data utilized to decode the digital data that is to be decoded by a decoding unit. A controller controls the decoding unit to decode the digital data based on the right data and to change the right data based on the subordinate data. As explained in the present specification at page 24, the subordinate data is data used for the reproduction charging process. As stated in the specification at page 28, when the contents to be decoded and reproduced is the target of a reproduction charge then the right data in the memory is changed accordingly.

Daggar relates to a so-called smart card that can interface with the telephone line and radio frequency signals and is

intended to provide both charge capabilities and bank card capabilities. A magnetic medium is formed on the card. The magnetic medium can be written to and read out from utilizing a writing and reading means on the card.


Nevertheless, Daggar is completely silent concerning the use of a storage configured to store digital data and corresponding subordinate data as taught by the present invention and as recited in the amended claims. Furthermore, the decoding of the digital data according to the present invention is controlled based on the right data. The controller changes the right data based on the subordinate data when the digital data is decoded. Daggar is completely silent concerning this feature of the present invention.

Therefore, by reason of the amendments made to the claims hereby, as well as the above remarks, it is respectfully submitted that a data decoding apparatus, as taught by the present invention and as recited in the amended claims, is neither shown nor suggested in the cited references.

The references cited as of interest have been reviewed and are not seen to show or suggest the present invention as recited in the amended claims.

Favorable reconsideration is earnestly solicited.

Respectfully submitted,  
COOPER & DUNHAM, LLP

A handwritten signature in black ink, appearing to read "Jay H. Maioli". The signature is fluid and cursive, with the first name "Jay" and last name "Maioli" clearly distinguishable.

Jay H. Maioli  
Reg. No. 27,213

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